IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.790 OF 2004

IN

SUIT NO.771 OF 2004

...

Mr.Sukhnandan Vasudev Jair
and another ...Plaintiffs

v/s.

Mr.Sandeep Premkumar Jani
and others. ...Defendants

...

Mr.Siddharth Kanakia i/b Hariani & co. for the Plaintiffs.

None for the Defendants.

...

CORAM: D.K.DESHMUKH, J.

DATED: 2nd December,2004

P.C.:

1. This Notice of Motion is taken out by the Plaintiffs for interim order against the Defendants Nos. 1 & 2. The learned Counsel appearing for the Plaintiffs states that he presses only for the relief claimed by prayer clause (b). He also states that the Defendants Nos. 1 & 2 have been served. He also filed affidavit of service. Defendants Nos.1 and 2 have filed affidavit in this motion. None appears for the Defendants Nos. 1 & 2. There is no interim relief sought against other Defendants.

2. Heard the learned Counsel for the Plaintiff. Perused the record. As the Defendants Nos. 1 & 2 have already made statements in their affidavit dated 15th March, 2004 that they are residing in the premises which are described in prayer clause (b) of this Motion and that they have no intention to dispose of the same, this Notice of Motion is granted in terms of prayer clause (b).

3. Notice of Motion disposed of.

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